



REMARKS

The last Office action has been carefully considered.

In the Office Action the claims were rejected under the Judicially Created Doctrine of Obviousness Type Double Patenting as being unpatentable over claims 1, 3-5 of U.S. patent no. 6,623,489.

Also, the Abstract of the Disclosure was objected to.

In compliance with the Examiner's objection to the Abstract of the Disclosure, a new Abstract of the Disclosure is submitted herewith. It is therefore believed that the Examiner's grounds for the formal objections to the Abstract of the Disclosure, should be considered as not tenable and should be withdrawn.

In connection with the Examiner's rejection of the claims under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1, 3-5 of U.S. patent no. 6,623,489, applicants submitted herewith a Terminal Disclaimer which disclaims a portion of a term of the validity of the patent to be issued on this application, which subsequent to the term of validity of U.S. patent no. 6,623,489.

It is respectfully submitted that the Examiner's grounds for the rejection of the claims under the judicially created doctrine of obviousness-type double patenting should be considered as no longer tenable and should be withdrawn.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance; he is invited to telephone the undersigned (at 631-243-3818).

Respectfully submitted,



Ilya Zborovsky  
Agent for Applicant  
Reg. No.: 28563